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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,337	01/26/2001	Chad Magendanz	44431/233649	6309

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EXAMINER

ARSHAD, UMAR

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 08/11/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/770,337

Applicant(s)

MAGENDANZ ET AL. 

Examiner

Umar Arshad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: item 912 in Figure 9. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 18, 19, 20, 21, 22, 25 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Bertrand et al., U.S. Patent No. 6,085,184.

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As per claim 1, Bertrand et al. teaches a method for providing a selection of properties for an electronic document associated with an application program comprising the steps:

determining a context for the electronic document (see Bertrand et al. claim 1(a); by accessing the information in the spreadsheet object component of the rule-based expert system to retrieve indicia representative of a goal and presenting the goal on a display it is implied that the context of the system taught by Bertrand et al. is being determined)

determining a status of a property for the electronic document (see Bertrand et al. claim 1(c); by monitoring answers to questions posed to evaluate progress of a student toward the goal utilizing the spreadsheet object component of the rule-based expert system it is evident that the status of a property taught by Bertrand et al. is being determined)

based upon the context of the electronic document and the status of the property, creating a palette for the user interface so that the palette comprises a control for an available property (see Bertrand et al. claims 1(e), 2 and 3); and displaying the palette in conjunction with the electronic document on the user interface (see Bertrand et al. figure 11 and column 27, lines 54 - 64).

As per claim 2, which is dependent on claim 1, Bertrand et al. teaches the method of claim 1 (see rejection above). Bertrand et al. further teaches determining a change in the status of the property or the context of the electronic document (see Bertrand et al. claim 1(c); by monitoring answers to questions posed to evaluate

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progress of a student toward the goal utilizing the spreadsheet object component of the rule-based expert system it is implied that the changes in these properties (answers taught by Bertrand et al. are being determined);

based upon the change of the property or the change in the property or the change in the context of the electronic document,

modifying the palette to reflect the change in the property or the change in the context of the electronic document; and

replacing the palette with the modified palette so that the modified palette is displayed in conjunction with the electronic document on the user interface (see Bertrand et al. claims 5 and 6; when the dynamic toolbar contains polymorphic logic that is dynamically instantiated based on characteristics of the business simulation and when the dynamic toolbar is instantiated by a message from the business simulation to a database object containing information indicative of the current status of the business simulation the palette is modified to reflect the change in the property or context of the electronic document).

As per claim 5, which is dependent on claim 1, Bertrand et al. teaches the method of claim 1 (see rejection above). Bertrand et al. further teaches coordinating the palette with a predefined interface so that the palette and the predefined interface provide consistent control features (see Bertrand et al. figure 11); and

displaying the predefined interface in conjunction with the palette and the electronic document (see Bertrand et al. figure 11).

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As per claim 6, which is dependent on claim 2, Bertrand et al. teaches the method of claim 2 (see rejection above). Bertrand et al. further teaches coordinating the modified palette with a predefined interface so that the palette and the predefined interface provide consistent control features (see Bertrand et al. figure 11); and

displaying the predefined interface in conjunction with the modified palette and the electronic document (see Bertrand et al. figure 11).

As per claim 7, which is dependent on claim 1, Bertrand et al. teaches the method of claim 1 (see rejection above). Bertrand et al. further teaches that the context of the electronic document consists of at least one of the following: textual content, formatting content, or graphical content (see Bertrand et al., claim 1; Bertrand et al. teaches a spreadsheet object component that includes data and calculations required for the business simulation, and accessing the information in the spreadsheet object component of the rule-based expert system to retrieve indicia representative of a goal and presenting the goal on a display).

As per claim 8, which is dependent on claim 1, Bertrand et al. teaches the method of claim 1 (see rejection above). Bertrand et al. further teaches that the property consists of one of the following: a formatting command, an application program command, or an electronic document characteristic (see Bertrand et al., claim 1).

As per claim 9, which is dependent on claim 1, Bertrand et al. teaches the method of claim 1 (see rejection above). Bertrand et al. further teaches that the user interface comprises a graphical user interface for an application program (see Bertrand et al., column 18, lines 10 – 13, and figure 11).

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As per claim 12, which is dependent on claim 5, Bertrand et al. teaches the method of claim 5 (see rejection above). Bertrand et al. further teaches wherein the predefined interface comprises a toolbar (see Bertrand et al., column 2, line 11).

As per claim 13, which is dependent on claim 6, Bertrand et al. teaches the method of claim 6 (see rejection above). Bertrand et al. further teaches wherein the predefined interface comprises a toolbar (see Bertrand et al., column 2, line 11).

As per claim 14, it is of the same scope as claim 1 (see rejection above).

As per claim 15, which is dependent on claim 14, it is of the same scope as claim 2 (see rejection above).

As per claim 18, which is dependent on claim 14, it is of the same scope as claim 5 (see rejection above).

As per claim 19, which is dependent on claim 15, it is of the same scope as claim 6 (see rejection above).

As per claim 20, which is dependent on claim 14, it is of the same scope as claim 7 (see rejection above).

As per claim 21, which is dependent on claim 14, it is of the same scope as claim 8 (see rejection above).

As per claim 22, which is dependent on claim 18, it is of the same scope as claim 9 (see rejection above).

As per claim 25, which is dependent on claim 18, it is of the same scope as claim 12 (see rejection above).

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As per claim 26, which is dependent on claim 19, it is of the same scope as claim 13 (see rejection above).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 4, 16, 17 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertrand et al., U.S. Patent No. 6,085,184 in view of Kavalam et al., U.S. Patent No. 6,057,836.

As per claim 3, which is dependent on claim 1, Bertrand et al. teaches the method of claim 1 (see rejection above). Bertrand et al. further teaches displaying the palette and the electronic document so that they can be simultaneously viewed (see Bertrand figure 11). Bertrand et al. does not teach resizing the palette. Kavalam et al. teaches a resizable palette (see Kavalam et al. column 4, lines 1 – 5). It would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized the method of Bertrand et al. with the resizable palette of Kavalam et al. to support direct manipulation of toolbars on a computer display screen and allow a user to easily resize toolbars (see Kavalam et al. column 2, lines 32 – 35).

As per claim 4, which is dependent on claim 2, Bertrand et al. teaches the method of claim 2 (see rejection above). Bertrand et al. further teaches displaying the

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modified palette and the electronic document so that they can be simultaneously viewed (see Bertrand figure 11). Bertrand et al. does not teach resizing the modified palette. Kavalam et al. teaches a resizable palette (see Kavalam et al. column 4, lines 1 – 5). It would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized the method of Bertrand et al. with the resizable palette of Kavalam et al. to support direct manipulation of toolbars on a computer display screen and allow a user to easily resize toolbars (see Kavalam et al. column 2, lines 32 – 35).

As per claim 16, which is dependent on claim 14, it is of the same scope as claim 3 (see rejection above).

As per claim 17, which is dependent on claim 15, it is of the same scope as claim 4 (see rejection above).

As per claim 27, Bertrand teaches a computer system for providing a selection of formatting properties for an electronic document associated with an application program having a user interface comprising:

- a memory for storing a property browser program module (see Bertrand, claim 10); and

- a processing unit functionally coupled to the memory, for executing computer-executable instructions (see Bertrand, claim 10) operable for:

- determining a formatting property for an electronic document associated with the application program, wherein the formatting property has at least one control (see Bertrand, claim 10);

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determining a context for the electronic document (see Bertrand et al. claim 1(a); by accessing the information in the spreadsheet object component of the rule-based expert system to retrieve indicia representative of a goal and presenting the goal on a display it is implied that the context of the system taught by Bertrand et al. is being determined);

creating a palette with the formatting property including at least one control and further based upon the context of the electronic document (see Bertrand et al. claim 10; by monitoring answers to questions posed to monitor progress of a student toward the goal utilizing the spreadsheet object component and then presenting a dynamic toolbar on the display wherein the dynamic toolbar is configured and displayed based upon information stored in the spreadsheet object component the palette is based upon the context of the electronic document);

sending the palette to a user interface associated with the application program (see Bertrand et al., figure 11);

determining a change in the status of the property or the context of the electronic document (see Bertrand et al. claim 1(c); by monitoring answers to questions posed to evaluate progress of a student toward the goal utilizing the spreadsheet object component of the rule-based expert system it is implied that the changes in these properties (answers) taught by Bertrand et al. are being determined); and

based upon the change of the property or the context of the electronic document,

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modifying the palette to reflect the change in the property or the change in the context of the electronic document (see Bertrand et al. claims 5 and 6);

replacing the palette with the modified palette so that the modified palette is displayed in conjunction with the electronic document on the user interface (see Bertrand et al. claims 5 and 6; when the dynamic toolbar contains polymorphic logic that is dynamically instantiated based on characteristics of the business simulation and when the dynamic toolbar is instantiated by a message from the business simulation to a database object containing information indicative of the current status of the business simulation the palette is modified to reflect the change in the property or context of the electronic document).

Bertrand et al. further teaches displaying the palette and the electronic document so that they can be simultaneously viewed (see Bertrand figure 11). Bertrand et al. does not teach resizing the palette. Kavalam et al. teaches a resizable palette (see Kavalam et al. column 4, lines 1 – 5). It would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized the method of Bertrand et al. with the resizable palette of Kavalam et al. to support direct manipulation of toolbars on a computer display screen and allow a user to easily resize toolbars (see Kavalam et al. column 2, lines 32 – 35).

Claims 10 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertrand et al., U.S. Patent No. 6,085,184 in view of Tuniman et al., U.S. Patent No. 5,241,624.

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As per claim 10, which is dependent on claim 1, Bertrand et al. teaches the method of claim 1 (see rejection above). Bertrand et al. does not teach that the user interface comprises a floating palette. Tuniman et al. teaches a user interface comprising a floating palette (see Tuniman et al., column 4, lines 21-27, column 7, lines 55-58, and figures 6 and 7). It would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized the method of Bertrand et al. with the floating palette of Tuniman et al. to allow for more control over the visible display screen area.

As per claim 23, which is dependent on claim 18, it is of the same scope as claim 10 (see rejection above).

Claims 11 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertrand et al., U.S. Patent No. 6,085,184 in view of Torres, U.S. Patent No. 5,241,624.

As per claim 11, which is dependent on claim 1, Bertrand et al. teaches the method of claim 1 (see rejection above). Bertrand et al. does not teach that the user interface comprises a property browser palette window. Torres teaches a property browser palette window (see Torres column 4, lines 40 – 49, and figures 5 and 8). It would have been obvious to one of ordinary skill in the art at the time of the invention to have used the method of Bertrand et al. with the property browser palette window taught by Torres to provide a method for enhancing access to attribute values for an object type on a particular level in a data hierarchy.

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As per claim 28, which is dependent on claim 18, it is of the same scope as claim 11 (see rejection above).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Koppolu et al., U.S. Patent no. 5,581,686 teaches a method and system for in-place interaction with contained objects. Marcos et al., U.S. Patent No. 6,429,880 teaches a method and apparatus for binding user interface objects to application objects. Lazarony, Jr. et al., U.S. Patent No. 5,870,091 teaches combining palettes on a computer display.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Umar Arshad whose telephone number is (703) 305-0329. The examiner can normally be reached on Monday - Friday, 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

UA
July 28, 2003

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100